

**CITY COUNCIL MEETING  
DECEMBER 18, 2001**

<b>Date &amp; Time</b>	On the 18 <sup>th</sup> day of December, A.D., 2001, the City Council of the City of Fort Worth, Texas, met in regular session at 10:28 a.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
<b>Attendance</b>	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted:
<b>Invocation</b>	The invocation was given by Pastor Christi Hoffman, Oakhurst United Methodist Church.
<b>Pledge</b>	The Pledge of Allegiance was recited.
<b>Minutes</b>	On motion of Council Member Davis, seconded by Council Member Haskin, the minutes of the regular meeting of December 11, 2001, were approved unanimously.
<b>Special Presentations</b>	<p>Council Member Picht presented a Proclamation for Volunteer Blood Donor Month.</p> <p>Mayor Pro tempore McCloud presented the Brass Ensemble from Versia L. Williams Elementary School who played We Wish You a Merry Christmas for the audience. Mayor Pro tempore McCloud asked the students to introduce themselves then presented each of them with City pins. Mr. David King, music teacher, thanked the Council for allowing the children to entertain the Council and acknowledged Assistant Principal Yasmine Lee who accompanied the ensemble.</p>
<b>Announcements</b>	Council Member Moss announced that District 5 would conduct a Community Forum tonight at 7:00 p.m. at Sunrise Elementary School and invited everyone in District 5 to attend.
<b>Withdrawn from Consent Agenda</b>	<p>Mayor Pro tempore McCloud requested that Mayor and Council Communication No. L-13210 be withdrawn from the consent agenda.</p> <p>City Manager Jackson requested that Mayor and Council Communication Nos. L-13211 and L-13212 be withdrawn from the consent agenda.</p>

Council Member Moss requested that Mayor and Council Communication No. C-18891 be withdrawn from the consent agenda.

**Continued/  
Withdrawn By  
Staff**

City Manager Jackson requested that Mayor and Council Communication Nos. G-13470 and C-18897 be withdrawn from the agenda, and that L-13211, L-13212, and C-18885 be continued until January 8, 2002.

**Consent Agenda**

On motion of Council Member Silcox, seconded by Council Member Haskin, the consent agenda, as amended, was adopted unanimously.

**Appointments**

Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud, to appoint Mr. Steven Relyea to Place 3 on the Parks and Community Services Advisory Board, effective December 18, 2001, and with a term expiring October 1, 2003. The motion carried unanimously.

Council Member Haskin made a motion, seconded by Council Member Lane, to appoint Ms. Elia Martinez to Place 4 on the Fort Worth Human Relations Commission, effective December 18, 2001, and with a term expiring October 1, 2002. The motion carried unanimously. Council Member Haskin informed the Council that the Human Relations Commission still had two vacancies and that the Board of Adjustment had a vacancy for an alternate position.

**Appoint Hearing  
Officer, Parking  
Relations  
Bureau**

There was presented Municipal Court Advisory Committee Recommendation No. 66, recommending that the City Council appoint Tanya C. Wilson as a hearing officer in the Parking Violations Bureau for a two-year term and setting the annual salary at \$31,548.00. Council Member Lane made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

Council Member Lane recognized Ms. Wilson in the audience and stated that she would do a great job as hearing officer.

**OCS-1253  
Res. #2796  
Canceling  
and/or  
Rescheduling  
City Council  
Meetings**

There was presented Mayor and Council Communication No. OCS-1253, dated December 4, 2001, from the Office of the City Secretary recommending that the City Council adopt Resolution No. 2796 canceling the regular City Council meeting of January 1, 2002; and rescheduling the date of City Council meeting from March 12, 2002, to March 14, 2002. Council Member Silcox made a motion, seconded by Council Member Wentworth that the OCS be adopted with the following amendments:

- 1. Change the date of the regular City Council meeting of Tuesday, January 1, 2002, to Thursday, January 3, 2002, due to the New Year's holiday.**
- 2. Change the time of the January 15, 2002 meeting from 10:00 a.m. to 7:00 p.m. to conduct a public hearing on the master thoroughfare plan.**
- 3. Cancel the City Council meeting of March 12, 2002, due to the National League of Cities Congressional City Conference.**
- 4. Change the time of the City Council meeting of March 19, 2002, from 10:00 a.m. to 7:00 p.m. for the purpose of conducting the regular public zoning hearing.**

**The motion carried unanimously.**

**OCS-1255  
Claims**

**There was presented Mayor and Council Communication No. OCS-1255 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance Department. It was the consensus of the City Council that the recommendation be adopted.**

**OCS-1256  
Res. No. 2797  
Setting Regular  
Zoning Hearing**

**There was presented Mayor and Council Communication No. OCS-1256 from the Office of the City Secretary recommending that the City Council adopt Resolution No. 2797 setting the regular zoning hearing for January 8, 2002. Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.**

**G-13465  
Ord. #14896  
Prohibit  
Solicitation of  
Employment  
Between  
Occupant of  
Motor Vehicle  
and Pedestrian**

**There was presented Mayor and Council Communication No. G-13465 from the City Manager recommending that the City Council adopt Ordinance No. 14896 amending Chapter 22 titled "Motor Vehicles and Traffic" of the Code of the City of Fort Worth (1986), by the addition of Section 22-179 "Solicitation of Employment Between an Occupant of a Motor Vehicle and a Pedestrian". It was the consensus of the City Council that the recommendation be adopted.**

**G-13466  
Payment for  
Assessed  
Allocation of  
TAD 2001  
Budget**

**There was presented Mayor and Council Communication No. G-13466 from the City Manager recommending that the City Council authorize payment for the City of Fort Worth's assessed allocation of the Tarrant County Appraisal District (TAD) 2001 budget in an amount not to exceed \$315,432.75 for the months of October through December 2001. It was the consensus of the City Council that the recommendation be adopted.**

**G-13467  
Ord. #14897  
Water and Sewer  
System Revenue  
Bonds, Series  
2001**

**There was presented Mayor and Council Communication No. G-13467 from the City Manager recommending that the City Council adopt Appropriation Ordinance No. 14897 increasing the estimated receipts and appropriations in the Water and Sewer Capital Project Fund in the amount of \$50,000.00 from the sale of Water and Sewer System Revenue Bonds, Series 2001, for the purpose of funding various water and sewer projects. It was the consensus of the City Council that the recommendation be adopted.**

**G-13468  
Adopt 2002  
Federal  
Legislative  
Program**

**There was presented Mayor and Council Communication No. G-13468 from the City Manager recommending that the City Council:**

- 1. Adopt the 2002 Federal Legislative Program; and**
- 2. Authorize the City Manager to distribute copies of the City's Federal Legislative Program to members of Congress, national city organizations, other cities, and interested individuals; and**
- 3. Authorize appropriate City officials to send letters of support and/or meet with federal officials to discuss the City's position on the federal initiatives as outlined in the program; and**
- 4. Authorize the City's Washington, D.C. consultant, Bracy Williams & Company, in consultation with the City Manager to take the appropriate actions to advance the 2002 Federal Legislative Program before Congress, the federal administration, and federal agencies.**

**Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.**

**G-13469  
Waive Building,  
Fire, and  
Development  
Related Fees for  
1401 Jones St.**

There was presented Mayor and Council Communication No. G-13469 from the City Manager recommending that the City Council find that a waiver of the building, fire, and development related fees for the Public Market project at 1401 Jones Street carries out a public purpose; and find that there are sufficient controls to ensure the public purpose is carried out; and authorize a waiver of the building and development related fees totaling approximately \$7,000.00. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**G-13470  
Withdrawn**

It was the consensus of the City Council that Mayor and Council Communication No. G-13470, Delegation Authority to the City Manager for Determining which Construction Contracting Method Provides the Best Value to the City of Fort Worth, be withdrawn from the agenda.

**G-13471  
Program  
Changes for  
Small Business  
Hazardous  
Waste Program**

There was presented Mayor and Council Communication No. G-13471 from the City Manager recommending that the City Council authorize the approval of program changes for the Small Business Hazardous Waste Program at the Environmental Collection Center; and authorize the extension of the program to include all small businesses within Tarrant County; and authorize a rate increase to cover program costs.

Council Member Moss made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried by the following vote:

**AYES:** Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Lane, Silcox, Haskin, Moss,  
Wentworth, and Davis

**NOES:** Council Member Picht

**ABSENT:** None

**G-13472  
Delayed Until  
After  
Completion of  
Pre-Council  
Worksession**

There was presented Mayor and Council Communication No. G-13472 from the City Manager recommending that the City Council support the implementation of the recommendations of Gershman, Brickner & Bratton, Inc., the City's solid waste consultant, which include the establishment of:

- a) A higher recycling/diversion rate within the City; and
- b) A once per week garbage collection program, in carts or bags; and
- c) A volume-based disposal rate; and
- d) A small bulky waste collection to be operated in conjunction with the weekly garbage collection activities; and
- e) A once per week, carted, recycling collection (30 or 60 gallon); and
- f) A once per week brush and yard waste collection (bundled brush and yard waste in kraft bags or carts); and
- g) Bulky waste service four times per year (additional collections at a per collection cost) for residential property initiated by both call-for service, and contractor observation; and
- h) Bulky waste cleanup of vacant lots; and
- i) At least four convenience centers; and
- j) A continuation of special pickups for the elderly, infirm, and disabled; and
- k) An aggressive marketing and public relations program.

**Council Member Lane made a motion, seconded by Council Member Silcox, that the recommendation be delayed until after completion of the Pre-Council Worksession. The motion carried unanimously.**

**G-13473  
Delayed Until  
After Executive  
Session**

**There was presented Mayor and Council Communication No. G-13473 from the City Manager recommending that the City Council consider whether to extend the effective dates of Chapter 11 of the 2000 International Residential Code and 2000 International Energy Code and the 2001 Supplement from January 1, 2002, to February 1, 2002.**

**City Attorney Yett recommended that Council delay any action on this M&C until after Executive Session.**

**Council Member Silcox made a motion, seconded by Council Member Haskin, that Mayor and Council Communication No. G-13473 be continued until after Executive Session. The motion carried unanimously.**

**P-9507  
Construction  
Equipment**

**There was presented Mayor and Council Communication No. P-9507 from the City Manager recommending that the City Council authorize non-exclusive purchase agreements for the rental of construction equipment with multiple vendors based on the rates and availability of equipment; and authorize this agreement to begin December 18, 2001, and expire December 17, 2002, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.**

**P-9508  
Police Vehicle  
Partitions and  
Accessories**

**There was presented Mayor and Council Communication No. P-9508 from the City Manager recommending that the City Council authorize a purchase agreement with Troy Products for police vehicle partitions and accessories for the Police and Equipment Services Departments based on the sole bid of manufacturer's list price less 40 percent discount, with payment due 30 days from the date the invoice is received, the City takes ownership at the City's facilities, freight prepaid and added to the invoice; and authorize the agreement to begin December 11, 2001, and expire December 10, 2002, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.**

**P-9509  
OEM Whelen  
Parts,  
Components  
and Signals**

**There was presented Mayor and Council Communication No. P-9509 from the City Manager recommending that the City Council authorize a purchase agreement with the Emergency Vehicle Equipment Company for OEM (original equipment manufacturer) Whelen parts, components and signals for the City of Fort Worth. The agreement will be awarded based on the low bid of manufacturer's list price less a 42 percent discount, with payment due 30 days from the date the invoice is received, the City takes ownership at the City's facilities, and no freight charged; and authorize this agreement to begin December 18, 2001, and expire December 17, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.**

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| <b>P-9510<br/>Streetlight Arms</b>                                        | <b>There was presented Mayor and Council Communication No. P-9510 from the City Manager recommending that the City Council authorize a purchase agreement with Genlyte Sales and Valmont Industries for streetlight arms for the Transportation and Public Works Department; and authorize this agreement to begin December 18, 2001, and expire December 17, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                    |
| <b>P-9511<br/>Small Engine<br/>and Equipment<br/>Repair</b>               | <b>There was presented Mayor and Council Communication No. P-9511 from the City Manager recommending that the City Council authorize a purchase agreement with primary award to Tabbs Small Engine Repair and secondary award to Davis Sales &amp; Service for small engine and equipment repair for the City of Fort Worth, with payment due 30 days from the date the invoice is received, the City takes ownership at its facilities, no freight is charged; and authorize this agreement to begin December 18, 2001, and expire December 17, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.</b> |
| <b>P-9512<br/>Library Materials</b>                                       | <b>There was presented Mayor and Council Communication No. P-9512 from the City Manager recommending that the City Council authorize a purchase agreement with multiple vendors for library materials for the Library Department; and authorize this agreement to begin December 18, 2001, and expire December 17, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                                                               |
| <b>P-9513<br/>GPS with<br/>Accessories and<br/>Software</b>               | <b>There was presented Mayor and Council Communication No. P-9513 from the City Manager recommending that the City Council authorize the purchase of a Global Positioning System (GPS) with accessories and software for the Engineering Department using the State of Texas Catalogue Purchasing Procedure for an amount not to exceed \$109,402.95, with payment due 30 days from the date of the invoice. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                                      |
| <b>P-9514<br/>Network Fiber<br/>and Cable<br/>Wiring<br/>Installation</b> | <b>There was presented Mayor and Council Communication No. P-9514 from the City Manager recommending that the City Council authorize a purchase agreement with Capco Communications, Index Global Services, and Clover Technologies, Inc. for network fiber and cable wiring installation for the Information Technology</b>                                                                                                                                                                                                                                                                                                                                                                       |



Solutions Department using the State of Texas Catalogue purchasing procedures; and authorize this agreement to begin December 18, 2001, and expire December 17, 2002, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9515  
Reject Invitation  
to Bid No. 01-  
0232 and Rebid  
of Flowable Fill  
Materials**

There was presented Mayor and Council Communication No. P-9515 from the City Manager recommending that the City Council reject the sole bid received for flowable fill material from Beal Concrete Enterprises on Invitation to Bid No. 01-0232, and authorize the rebid of flowable fill material service for the Water Department. Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**P-9516  
Reject Bid for  
Fabricated  
Custom Sheet  
Metal**

There was presented Mayor and Council Communication No. P-9516 from the City Manager recommending that the City Council reject the bid from R/D Sheet Metal, Inc. for fabricated custom sheet metal because it did not meet the delivery time as required in the specifications; and authorize these products to be re-bid. Council Member Silcox made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**L-13206  
Release Utility  
Easement in  
Exchange for  
Larger Sanitary  
Sewer Easement**

There was presented Mayor and Council Communication No. L-13206 from the City Manager recommending that the City Council authorize the City Manager to enter into an agreement with Mr. C. C. Bearden whereby the City would release a utility easement, and in exchange Mr. Bearden would grant the City a larger sanitary sewer easement for property located at 4333 River Oaks Boulevard. It was the consensus of the City Council that the recommendation be adopted.

**L-13207  
Lease  
Agreement with  
Richard and  
Shelly Allen**

There was presented Mayor and Council Communication No. L-13207 from the City Manager recommending that the City Council authorize the City Manager to execute a lease agreement with Richard and Shelly Allen for the property located at 301 Harmon Road for \$1,100.00 per month; and authorize this agreement to begin January 1, 2002, and expire June 30, 2002, with options to renew the lease for two one-month periods, with the provision that the City may terminate this lease at the conclusion of each term. It was the consensus of the City Council that the recommendation be adopted.

**L-13208  
Two Water Line  
Easements**                      There was presented Mayor and Council Communication No. L-13208 from the City Manager recommending that the City Council approve the acceptance of two 10-foot by 15-foot water line easements described as Lot 1, Block A, Cobb Park Townhomes, Tarrant County, Texas, from Cobb Park Townhomes, LP (DOE 3453), needed for the purpose of constructing and maintaining water line facilities located at East Berry Street for a total cost of \$20.00. It was the consensus of the City Council that the recommendation be adopted.

**L-13209  
Permanent  
Drainage  
Easement**                      There was presented Mayor and Council Communication No. L-13209 from the City Manager recommending that the City Council approve the acceptance of one permanent drainage easement described as A-1849, A. F. Albright Survey, Tarrant County, Texas, from Marine Creek of Texas Joint Venture for the construction and maintenance of street improvements on Cromwell Marine Creek Road (DOE 3235), necessary for the construction and maintenance of street improvements for a cost of \$1.00. It was the consensus of the City Council that the recommendation be adopted.

**L-13210  
Permanent  
Utility Easement**                      There was presented Mayor and Council Communication No. L-13210 from the City Manager recommending that the City Council accept one 10-foot permanent utility easement described as Lot 1, Block 1, Chancery Center Addition, Tarrant County, Texas, from Joseph P. Delaney, Bishop of the Catholic Diocese of Fort Worth (DOE 3365), needed to reconstruct, operate, and maintain a water main located west of West Loop 820, south of White Settlement Road for a cost of \$1.00.

Mayor Pro tempore McCloud informed Council that he had a conflict with this issue, that he had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Council Member Lane made a motion, seconded by Council Member Haskin, that Mayor and Council Communication No. L-13210 be adopted. The motion carried by the following vote:

<b>AYES:</b>	<b>Mayor Barr; Council Members Lane, Silcox, Haskin, Moss, Picht, Wentworth, and Davis</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>NOT VOTING:</b>	<b>Mayor Pro tempore McCloud</b>

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| <b>L-13211<br/>Continued Until<br/>January 8, 2002</b>                                                                     | <b>It was the consensus of the City Council that Mayor and Council Communication No. L-13211, Authorize the Purchase of Tax Foreclosure Properties Located at 804 Leuda Street and 928 Evans Avenue for the Evans Avenue and Rosedale Street Business and Cultural District, be continued until January 8, 2002.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>L-13212<br/>Continued Until<br/>January 8, 2002</b>                                                                     | <b>It was the consensus of the City Council that Mayor and Council Communication No. L-13212, Authorize the Purchase of Property Located at 1054 Evans Avenue for the Development of the Evans Avenue and Rosedale Street Business and Cultural District (DOE 2886), be continued until January 8, 2002.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>L-13213<br/>Four Permanent<br/>Water Line<br/>Easements and<br/>One Right-of-<br/>Way Easement</b>                      | <b>There was presented Mayor and Council Communication No. L-13213 from the City Manager recommending that the City Council accept four permanent water line easements described as Tract 5, A-996, William Mann Survey, Lots 2-17R, Block 1, Industrial Addition, Lots B, Block 2R, Industrial Addition and Lots 1, Block 1, Industrial Addition, Tarrant County, Texas, from Robertson-Campbell Company and one right-of-way easement described as Tract 3A01A, A996, William Mann Survey, Tarrant County, Texas, from Texas Utilities Electric Company (DOE 3118), needed for the purpose of constructing, maintaining and operating a water line across the properties located at 2601 and 2701 Ludelle Street and 0000 Conner Avenue, for a total cost of \$5.00. Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.</b> |
| <b>PZ-2341<br/>Establishing<br/>Timetable for<br/>Proposed<br/>Annexation for<br/>224.681 Acres of<br/>Various Surveys</b> | <b>There was presented Mayor and Council Communication No. PZ-2341 from the City Manager recommending that the City Council approve the annexation timetable for the proposed annexation of approximately 224.681 acres of land out of the Ramon Gangara Survey, Abstract No. 563, the Texas &amp; Pacific Railroad Company Survey, Abstract No. 1568, and the Alexander, Crain, Harris &amp; Brooks Survey, Abstract No. 55, Tarrant County, Texas (Annexation Case No. AX-02-001) in compliance with the requirements of Chapter 43 of the Texas Local Government Code authorize the City Manager to prepare a service plan that provides for the extension of full municipal services to the annexation area. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.</b>                                                           |

**CITY COUNCIL MEETING  
FORT WORTH, TEXAS  
DECEMBER 18, 2001  
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| <b>PZ-2342<br/>Ord. #14898<br/>Utility Easement<br/>Vacation<br/>VA-01-009</b>             | <b>There was presented Mayor and Council Communication No. PZ-2342 from the City Manager recommending that the City Council adopt Ordinance No. 14898 vacating a 10-foot wide by 212.75-foot long utility easement located in Lot 3R, Block 1, Harris Hospital Addition, Tarrant County, Texas, and containing approximately 2,127.5 square feet of land. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.</b>                                                                              |
| <b>PZ-2343<br/>Ord. #14899<br/>Utility<br/>Easements<br/>Vacation<br/>VA-01-014</b>        | <b>There was presented Mayor and Council Communication No. PZ-2343 from the City Manager recommending that the City Council adopt Ordinance No. 14899 vacating three 10-foot wide utility easements of 125-feet, 121.56-feet and 160.9-feet long, in Lots 32-R-1, 33-R-1 and 34-R-1, Block 3, and situated in the Lake Worth Leases, Tarrant County, Texas. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.</b>                                                                        |
| <b>PZ-2344<br/>Ord. #14900<br/>Sanitary Sewer<br/>Easements<br/>Vacation<br/>VA-01-015</b> | <b>There was presented Mayor and Council Communication No. PZ-2344 from the City Manager recommending that the City Council adopt Ordinance No. 14900 vacating one 8-foot wide and one 10-foot wide sanitary sewer easement of variable lengths located in Lots 12 through 16, Rockwood Center Addition, Fort Worth, Texas, Tarrant County, Texas. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.</b>                                                                                 |
| <b>PZ-2345<br/>Ord. #14901<br/>Utility Easement<br/>Vacation<br/>VA-01-025</b>             | <b>There was presented Mayor and Council Communication No. PZ-2345 from the City Manager recommending that the City Council adopt Ordinance No. 14901 vacating a 17-foot wide by 100.02-foot long utility easement located in Lot 5R, Block 2, Kennedy Addition, Plat Records, Tarrant County, Texas, and containing approximately 1,700 square feet of land. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.</b>                                                                          |
| <b>PZ-2346<br/>Ord. #14902<br/>Water Line<br/>Easement<br/>Vacation<br/>VA-01-1002</b>     | <b>There was presented Mayor and Council Communication No. PZ-2346 from the City Manager recommending that the City Council adopt Ordinance No. 14902 vacating a 17.54-foot wide southerly portion of a 50-foot wide variable length water line easement as situated in the W.W. Wheat Survey, Abstract No. 1646, Kings Trail Addition, Fort Worth, Tarrant County, Texas, and containing approximately 9,923 square feet of land. Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.</b> |

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| <b>C-18880<br/>Dallas/Fort<br/>Worth Metroplex<br/>DemandStar<br/>Users Group</b> | <b>There was presented Mayor and Council Communication No. C-18880 from the City Manager recommending that the City Council approve the Interlocal Purchasing Cooperative Agreement for the City of Fort Worth to join the Dallas/Fort Worth Metroplex DemandStar Users Group purchasing cooperative; and authorize this agreement to begin December 18, 2001, and expire December 17, 2006, with options to renew for two successive five-year periods. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                        |
| <b>C-18881<br/>Cook Children's<br/>Medical Center</b>                             | <b>There was presented Mayor and Council Communication No. C-18881 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Cook Children's Medical Center authorizing installation of conduits in 8<sup>th</sup> Avenue and Cooper Street. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                                          |
| <b>C-18882<br/>Tarrant County</b>                                                 | <b>There was presented Mayor and Council Communication No. C-18882 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Tarrant County authorizing installation of conduits in the north parkway of East First Street. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                                                           |
| <b>C-18883<br/>Texas Christian<br/>University</b>                                 | <b>There was presented Mayor and Council Communication No. C-18883 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Texas Christian University authorizing the installation of conduits in a right-of-way (alleyway) east of 3025 Lubbock Avenue. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                            |
| <b>C-18884<br/>Diamond Hill<br/>Community<br/>Center</b>                          | <b>There was presented Mayor and Council Communication No. C-18884 from the City Manager recommending that the City Council authorize the reallocation of \$15,340.00 in Year XXVII Community Development Block Grant unprogrammed funds for the gymnasium floor replacement at the Diamond Hill Community Center; and authorize the City Manager to execute a contract with Long Flooring in the amount of \$92,500.00 for a wood sports floor, an outside porch, and athletic equipment at the Diamond Hill Community Center. It was the consensus of the City Council that the recommendation be adopted.</b> |

**C-18885  
Continued Until  
January 8, 2002**      It was the consensus of the City Council that Mayor and Council Communication No. C-18885, Award of Contract to Vegetation Management Specialist, Inc. for the 2002 Herbicide Treatment Program (2002-4), be continued until January 8, 2002.

**C-18886  
Stantec  
Consulting, Inc.**      There was presented Mayor and Council Communication No. C-18886 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Stantec Consulting, Inc. for the preparation of an inventory of the pavement condition on residential streets City-wide (2002-16) in an amount not to exceed \$264,520.00. It was the consensus of the City Council that the recommendation be adopted.

**C-18887  
Change Order #6  
– Duininck  
Brothers, Inc.**      There was presented Mayor and Council Communication No. C-18887 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 6 with Duininck Brothers, Inc. in the amount of \$66,453.49 for additional work, thereby increasing the contract amount to \$5,157,110.95. It was the consensus of the City Council that the recommendation be adopted.

**C-18888  
Ord. #14903  
Cleburne Utility  
Construction,  
Inc.**      There was presented Mayor and Council Communication No. C-18888 from the City Manager recommending that the City Council:

1. Authorize the transfer of \$420,669.18 from the Water and Sewer Fund to the Water Capital Project Fund in the amount of \$262,788.34, and the Sewer Capital Project Fund in the amount of \$157,880.84; and
2. Adopt Appropriation Ordinance No. 14903 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$262,788.34 and in the Sewer Capital Project Fund in the amount of \$157,880.84 from available funds for the purpose of funding a contract to Cleburne Utility Construction, Inc., for Water and Sewer Replacement Contract 2000 WSM-F; and
3. Authorize the City Manager to execute a contract with Cleburne Utility Construction, Inc. in the amount of \$375,634.75 and 80 working days for Water and Sewer Replacement Contract 2000 WSM-F.

It was the consensus of the City Council that the recommendation be adopted.

**C-18889  
Ord. #14904  
M.E. Burns  
Construction,  
Inc.**

**There was presented Mayor and Council Communication No. C-18889 from the City Manager recommending that the City Council:**

- 1. Authorize the transfer of \$222,593.25 from the Water and Sewer Fund to the Sewer Capital Project Fund; and**
- 2. Adopt Appropriation Ordinance No. 14904 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund in the amount of \$222,593.25 from available funds for the purpose of funding a contract with M. E. Burns Construction, Inc., for Sanitary Sewer Replacement Contract 2001 WSM-G; and**
- 3. Authorize the City Manager to execute a contract with M. E. Burns Construction, Inc. in the amount of \$197,863.25 and 50 working days for Sanitary Sewer Replacement Contract 2001 WSM-G.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18890  
Ord. #14905  
Cleburne Utility  
Construction  
Company, Inc.**

**There was presented Mayor and Council Communication No. C-18890 from the City Manager recommending that the City Council:**

- 1. Authorize the transfer of \$1,505,322.00 from the Water and Sewer Fund to the Water Capital Project Fund (\$725,169.00) and the Sewer Capital Project Fund (\$780,153.00); and**
- 2. Adopt Appropriation Ordinance No. 14905 increasing the estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$725,169.00 and in the Sewer Capital Project Fund in the amount of \$780,153.00 from available funds for the purpose of funding a contract to Cleburne Utility Construction Company, Inc., for Water and Sewer Main Replacement Contract 2001A; and**
- 3. Authorize the City Manager to execute a contract with Cleburne Utility Construction Company, Inc. in the amount of \$1,360,113.00 for the Water and Sewer Main Replacements Contract 2001A.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18891  
Ord. #14906  
Stabile & Winn,  
Inc.**

**There was presented Mayor and Council Communication No. C-18891 from the City Manager recommending that the City Council:**

- 1. Authorize the transfer of \$298,440.00 from the Water and Sewer Operating Fund to the Sewer Capital Project Fund (\$98,605.50) and the Water Capital Project Fund (\$199,834.50); and**
- 2. Adopt Appropriation Ordinance No. 14906 increasing the estimated receipts and appropriations in the Sewer Capital Project Fund in the amount of \$98,605.50 and in the Water Capital Project Fund in the amount of \$199,834.50 from available funds for the purpose of funding a contract with Stabile & Winn, Inc., for reconstruction of Avenue H and Avenue G; and**
- 3. Authorize the City Manager to execute a contract with Stabile & Winn, Inc. in the amount of \$721,130.00 for the reconstruction of Avenue H (Miller Street to Hughes Street) and Avenue G (Miller Street and Arch Street) for new asphalt pavement including water and sanitary sewer improvements.**

**Council Member Moss asked staff for an explanation of the Minority/Business Women Enterprise (M/WBE) participation in this contract.**

**Ms. Sundra Davis, representing M/WBE, stated that this was a combined project for water, sewer, and street pavement improvements and as such, M/WBE participation was higher. She added that the contractor met the good faith effort as prescribed by the ordinance.**

**Council Member Moss made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-18891 be adopted. The motion carried unanimously.**

**C-18892  
Tarrant County  
Auto Theft Task  
Force**

**There was presented Mayor and Council Communication No. C-18892 from the City Manager recommending that the City Council authorize the City Manager to renew the interlocal agreement with the Tarrant County Auto Theft Task Force for FY2002; and authorize the agreement to begin October 1, 2001, and expire September 30, 2002, with options to renew for five additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.**



**C-18893  
Ord. #14907  
Texas Natural  
Resources  
Conservation  
Commission**

**There was presented Mayor and Council Communication No. C-18893 from the City Manager recommending that the City Council:**

- 1. Authorize the City Manager to execute an agreement with the Texas Natural Resources Conservation Commission in the amount of \$241,468.00 per year for air pollution control services for a two-year period from September 1, 2001, through August 31, 2003; and**
- 2. Authorize a non-interest bearing inter-fund loan from the Environmental Management Fund to the Grants Fund in the amount of \$60,367.00 for interim financing for this grant pending contract execution; and**
- 3. Authorize the use of \$118,932.00 from the General Fund as an in-kind match for this contract; and**
- 4. Adopt Appropriation Ordinance No. 14907 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$360,400.00 subject to the receipt of the executed contract from the Texas Natural Resource Conservation Commission for the purpose of funding Air Pollution Controls Services; and**
- 5. Apply indirect costs in accordance with the City's Administrative Regulation 3-15, applying the most recently approved rate of 18.62% for the Environmental Management Department, not to exceed \$44,961.00 per year which is included in the annual grant amount of \$241,468.00.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18894  
Amendment #2  
to CSC #26292 –  
APIAQ Limited  
Partnership,  
d/b/a The  
Upholstery Shop**

**There was presented Mayor and Council Communication No. C-18894 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 2 to City Secretary Contract No. 26292 with APIAQ Limited Partnership, d/b/a The Upholstery Shop adding 8,000 square feet to the lease site 44 N at Fort Worth Meacham International Airport. It was the consensus of the City Council that the recommendation be adopted.**

**CITY COUNCIL MEETING  
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DECEMBER 18, 2001  
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- |                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>C-18895<br/>Carter &amp;<br/>Burgess, Inc.</b>                                                                      | <b>There was presented Mayor and Council Communication No. C-18895 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering agreement with Carter &amp; Burgess, Inc. for water and wastewater master planning for Sendera Ranch for a total fee not to exceed \$720,400.00. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                                                                                          |
| <b>C-18896<br/>North Texas<br/>Municipal<br/>Construction<br/>Company,<br/>Inc./TNG<br/>Services Joint<br/>Venture</b> | <b>There was presented Mayor and Council Communication No. C-18896 from the City Manager recommending that the City Council authorize the City Manager to execute a construction contract with North Texas Municipal Construction Company, Inc./TNG Services Joint Venture for expansion and system improvements to the Stagecoach Pump Station on the low bid of \$1,850,500.00. It was the consensus of the City Council that the recommendation be adopted.</b>                                                                                                                                                                                                          |
| <b>C-18897<br/>Withdrawn</b>                                                                                           | <b>It was the consensus of the City Council that Mayor and Council Communication No. C-18897, Selection of Consultant to Recommend Housing Strategies to Revitalize the Central City, be withdrawn from the agenda.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>C-18898<br/>Third-Party<br/>Plumbing<br/>Inspection<br/>Program</b>                                                 | <b>There was presented Mayor and Council Communication No. C-18898 from the City Manager recommending that the City Council authorize the City Manager to enter into agreements with independent, professional, plumbing inspectors to perform plumbing inspections within the City of Fort Worth; and authorize annual purchase agreements as a means to pay for third-party plumbing inspector services; and authorize the City Manager to waive the requirement of annual renewals of the annual purchase agreements. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.</b> |
| <b>C-18899<br/>Fort Worth Jet<br/>Center, Inc. and<br/>Sterling-Fort<br/>Worth JC, L.P.</b>                            | <b>There was presented Mayor and Council Communication No. C-18899 from the City Manager recommending that the City Council authorize the City Manager to execute written consents to Assignment and Assumption Agreements between Fort Worth Jet Center, Inc. (FWJC) and Sterling-Fort Worth JC, L.P. (Sterling) relating to all of FWJC's leases at Fort Worth Meacham International Airport (Airport); and authorize the City Manager to execute a written consent to the execution of Deed of Trust Liens by Sterling and Texas Capital Bank on all of Sterling's leasehold at the Airport.</b>                                                                         |

City Attorney Yett advised the Council that the lease agreement contained provisions that preserved the hanger's historical significance. It prohibits any changes without prior consent of the Manager.

Council Member Picht made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**C-18900  
Amendment #7  
to CSC #24692 –  
Austin  
Commercial, Inc.**

There was presented Mayor and Council Communication No. C-18900 from the City Manager recommending that the City Council:

1. Approve Amendment No. 7 to City Secretary Contract No. 24692 with Austin Commercial, Inc. for the provision of additional construction and construction management services for the construction of the Fort Worth Convention Center for an additional cost not to exceed \$2,700,000.00; and
2. Authorize Austin Commercial, Inc. to execute agreements with Walker Construction, All-Fair Electric, and other contractors for the construction of improvements to the Water Gardens Events Plaza in the total amount of \$2,500,000.00; and
3. Authorize the payment of funds to Austin Commercial, Inc. for payment to the construction contractors as work progresses.

Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**C-18901  
Federal Aviation  
Administration**

There was presented Mayor and Council Communication No. C-18901 from the City Manager recommending that the City Council authorize the City Manager to execute a Memorandum of Agreement with the Federal Aviation Administration setting forth the terms of reimbursement of costs associated with the relocation of certain navigational aids in connection with the extension of runways 16L/34R and 16R/34L at Fort Worth Alliance Airport.

Lisa Pyles, Aviation Director, advised the Council of the various funding sources for the project.

**Council Member Lane made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.**

**C-18902  
Plaza Medical  
Center of Fort  
Worth**

**There was presented Mayor and Council Communication No. C-18902 from the City Manager recommending that the City Council find that the statements set forth in the recitals of the Tax Abatement Agreement with Plaza Medical Center of Fort Worth are true and correct; and authorize the City Manager to enter into the Tax Abatement Agreement with Plaza Medical Center of Fort Worth in accordance with the Tax Abatement Policy.**

**Council Member Davis stated that the Plaza Medical Center had made a commitment to donate \$25,000.00 per year to non-profit entities on the north side of the city and were increasing by one percent per year the charitable contribution. She made a motion, seconded by Council Member Moss, that the recommendation be adopted.**

**Stephen  
Bernstein**

**Mr. Stephen Bernstein, 900 8<sup>th</sup> Avenue, President and Chief Executive Officer of Plaza Medical Center, appeared before Council in favor of the Tax Abatement Agreement.**

**Albert Galvan**

**Mr. Albert Galvan, 2050 Fielder Street, appeared before Council in favor of the Tax Abatement Agreement. He stated that the Medical Plaza would be a welcomed addition to the City and he looked forward to doing business with them.**

**Council Member Silcox stated that he opposed the Tax Abatement Agreement as the money should be used to relocate or move a business into Fort Worth.**

**The motion carried by the following vote:**

**AYES: Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Lane, Haskin, Moss,  
Picht, Wentworth, and Davis**

**NOES: Council Member Silcox**

**ABSENT: None**

**C-18903  
Ord. #14908  
TriData  
Corporation**

**There was presented Mayor and Council Communication No. C-18903 from the City Manager recommending that the City Council:**

- 1. Adopt Supplemental Appropriation Ordinance No. 14908 appropriating \$397,530.00 to the General Fund and decreasing the Unreserved, Undesignated General Fund balance by the same amount for the purpose of providing funding for a contract with TriData for a comprehensive review of the Fire Department; and**
- 2. Authorize the City Manager to execute a contract with TriData Corporation for the performance of all professional services and expenses necessary to conduct a comprehensive management review of the Fire Department in the amount of \$397,530.00 for FY2001-2002.**

**Jim Tate**

**Mr. Jim Tate, 417 N. Retta, President of the Fort Worth Firefighters Association, appeared before Council in favor of the contract award and requested Council approval.**

**Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.**

**C-18904  
BENCOR, Inc.**

**There was presented Mayor and Council Communication No. C-18904 from the City Manager recommending that the City Council authorize the City Manager to execute an agreement with BENCOR, Inc. to provide a FICA Alternative Plan for the City of Fort Worth. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.**

**C-18905  
D. R. Horton-  
Texas, Ltd.**

**There was presented Mayor and Council Communication No. C-18905 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with D. R. Horton-Texas, Ltd. for water and sewer improvements to serve The Crossing at Fossil Creek Addition, Phase 3 (96 lots), east of Mark IV Parkway and north of Cantrell-Sansom in north Fort Worth. Council Member Haskin made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.**

**C-18906  
Riverbend  
Investments,  
Limited by RBE  
Investments  
Corporation**

**There was presented Mayor and Council Communication No. C-18906 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with Riverbend Investments, Limited, by RBE Investments Corporation for the installation of offsite sewer services to serve the Lakes of River Trails, Phase V in east Fort Worth. Council Member Haskin made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.**

**C-18907  
Ord. #14909  
Ord. #14910  
Northstar  
Construction,  
Inc.**

**There was presented Mayor and Council Communication No. C-18907 from the City Manager recommending that the City Council:**

- 1. Adopt Appropriation Ordinance No. 14909 increasing the estimated receipts in the Lake Worth Trust Fund in the amount of \$90,053.48 from available funds for the purpose of funding a contract with Northstar Construction, Inc. for boat ramp improvements at Casino Beach Park; and**
- 2. Authorize the City Manager to transfer \$90,053.48 from the Lake Worth Trust Fund to the Grants Fund; and**
- 3. Adopt Appropriation Ordinance No. 14910 increasing the estimated receipts in the Grants Fund in the amount of \$90,053.48 from available funds for the purpose of funding a contract with Northstar Construction, Inc. for boat ramp improvements at Casino Beach Park; and**
- 4. Authorize the City Manager to execute a contract with Northstar Construction, Inc. in the amount of \$297,960.00 for construction of a parking lot, dock, and boat ramp improvements at the Casino Beach Park.**

**Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.**

**C-18908  
Dubberly  
Associates, Inc.**

**There was presented Mayor and Council Communication No. C-18908 from the City Manager recommending that the City Council authorize the City Manager to enter into a consulting services contract with Dubberly Associates, Inc. to prepare a Master Services Plan for the Fort Worth Public Library. Council Member Silcox made a motion, seconded by Council Member Davis, that the recommendation be adopted.**

**Cindy Boyd**                      Ms. Cindy Boyd, 3720 Bellaire Drive North, appeared before Council in favor of the Library Master Plan with caveats. She expressed the following concerns: Will this be an operational audit or a master plan? Does citizen input drive the process or not? How do we get meaningful citizen input? Will money be available to fund new initiatives? She also provided examples of initiatives from libraries in other U.S. cities of customer-focused strategies that ensure the libraries' ongoing relevance.

City Manager Jackson responded to Ms. Boyd's concerns and suggested that she also speak with Ms. Gleniece Robinson.

The motion carried by the following vote:

**AYES:**                      Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Lane, Silcox, Haskin, Moss,  
Wentworth, and Davis

**NOES:**                      Council Member Picht

**ABSENT:**                      None

**ZC-01-1053**                      It appeared that the City Council, at its meeting of December 11, 2001, continued the hearing of the application of Mission Partners, Inc. for a change in zoning of property located at Oak Grove and the 1000 Block of McPherson Road from "B" Two-Family, "E" Neighborhood Commercial and "FR" General Commercial Restricted to "A-5" One-Family, Zoning Docket No. ZC-01-1053. Mayor Barr asked if there was anyone present desiring to be heard.

**Approved**

**Danny Lampe**                      Mr. Danny W. Lampe, 10612 Towerwood Drive, appeared before Council in favor of the zoning change. He stated that the residents in his neighborhood would like to see this change go forward and that it would be an improvement to the neighborhood.

**Gary Frederick**                      Mr. Gary Frederick, 4600 Claire Chennault, Addison, Texas, appeared before Council in favor of the zoning change. He briefed Council on the history of this property and requested their favorable consideration of the zoning change.

**Carolyn**                      Ms. Carolyn Plowman, 1113 Stuckert, Burleson, Texas, appeared before Council in opposition to the zoning change. She expressed concerns relative to increased population, traffic complications, water run-off, fire hazards, and future annexation. She stated that the zoning change would create a devaluation of the surrounding properties. She added that the residents proposed a compromise of A-7.5 zoning for 7,500 square foot lots.

**Plowman**

There being no one else present desiring to be heard in connection with the application of Mission Partners, Inc., Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the Zoning Hearing be closed and that Zoning Docket No. ZC-01-1053 be approved. The motion carried unanimously.

ZC-01-1085  
Ord. #14911  
Approved

It appeared that the City Council that Resolution No. 2794 was adopted on November 20, 2001, setting today as the date for the hearing in connection with Zoning Docket No. ZC-01-1085, Text Amendment concerning automotive repair, paint and body shops requiring screening of vehicles stored overnight and placing a time limit on the storage of vehicles. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the recommended changes and amendments to Ordinance No. 14911 Text Amendment, Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud, that the Zoning Hearing be closed and that Zoning Docket No. ZC-01-1085 be adopted and the following ordinance be approved with the following amendment: Replace all references to vehicles "stored overnight" to vehicles "stored after business hours."

#### ORDINANCE NO. 14911

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, TO AMEND SECTION 5.104, "AUTOMOTIVE REPAIR; PAINT AND BODY SHOP" AND SECTION 5.304, "FENCES" TO REQUIRE THAT ALL VEHICLES STORED AFTER BUSINESS HOURS BE ENCLOSED BY A SIX-FOOT SCREENING FENCE OR STORED IN AN ENCLOSED BUILDING AND TO LIMIT THE TIME VEHICLES CAN BE STORED TO FORTY-FIVE (45) DAYS; TO AMEND SECTION 4.803, THE NONRESIDENTIAL DISTRICT USE TABLE, TO REQUIRE THE APPLICATION OF SUPPLEMENTAL STANDARDS FOR "AUTOMOTIVE REPAIR; PAINT AND BODY SHOP" UNDER "VEHICLE SALES AND SERVICE" FOR THE COLUMN HEADINGS "MU-2", "I", "J", AND "K" DISTRICTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously.



There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud, that the hearing be closed and that the following ordinance be adopted:

**ORDINANCE NO. 14912**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.**

The motion carried unanimously.

**Executive  
Session**

It was the consensus of the City Council that they recess into Executive Session at 11:37 a.m. to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code; and
  - a) Cities of Denton, Texas, et al v. TXU Electric Company, et al, Cause No. 009383 (134<sup>th</sup> Judicial District, Dallas County);
  - b) Bradley W. Hickey, et al v. City of Fort Worth and Fort Worth Professional Fire Fighters Association, Jim Tate, J. R. Sullivan, Landon Stallings, Pat Vasquez, and Don Westmoreland, Jr. v. City of Fort Worth, Cause No. 348-185345-00;

- c) James S. Dubose v. City of Fort Worth, Cause No. 17-180555-99;
  - d) Elizabeth Bonnell v. City of Fort Worth, Civil Action No. 4:01-CV-864-A;
  - e) Legal issues concerning regulation of mobile vendors;
  - f) Legal issues concerning the provision of jail services;
  - g) Legal issues concerning the development and construction of a Convention Center Hotel;
  - h) Legal issues concerning the operations and elections of the Fort Worth Police Officers Association;
  - i) Legal issues concerning any City Council agenda item; and
- 2. Deliberate the purchase, sale, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party;
  - 3. Deliberate concerning economic development negotiations as authorized by Section 551.086 of the Texas Government Code; and
  - 4. Deliberate the deployment, or specific occasions for implementation of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

**Reconvened**

**The City Council reconvened into regular session at 2:35 p.m.**

**G-13472  
Request for  
Proposal for  
Garbage and  
Recycling  
Program**

**There was presented Mayor and Council Communication No. G-13472 from the City Manager recommending that the City Council support the implementation of the recommendations of Gershman, Brickner & Bratton, Inc., the City's solid waste consultant, which include the establishment of:**

- l) A higher recycling/diversion rate within the City; and**

- m) A once per week garbage collection program, in carts or bags; and
- n) A volume-based disposal rate; and
- o) A small bulky waste collection to be operated in conjunction with the weekly garbage collection activities; and
- p) A once per week, carted, recycling collection (30 or 60 gallon); and
- q) A once per week brush and yard waste collection (bundled brush and yard waste in kraft bags or carts); and
- r) Bulky waste service four times per year (additional collections at a per collection cost) for residential property initiated by both call-for service, and contractor observation; and
- s) Bulky waste cleanup of vacant lots; and
- t) At least four convenience centers; and
- u) A continuation of special pickups for the elderly, infirm, and disabled; and
- v) An aggressive marketing and public relations program.

Council Member Davis made a motion, seconded by Council Member Wentworth, that Mayor and Council Communication No. G-13472 be amended as follows:

**G-13472  
Garbage and  
Recycling  
Program**

There was presented Mayor and Council Communication No. G-13472 from the City Manager recommending that the City Council direct staff to prepare a request for proposal to define a future garbage and recycling program, which includes the establishment of:

1. A higher recycling/diversion rate within the City; and

2. A base service of once per week garbage collection program, in carts, and the pricing of a subscription type service for the weekly and twice weekly collection of bagged waste, and;
3. A volume-based disposal rate; and
4. A small bulky waste collection to be operated in conjunction with the weekly garbage collection activities; and
5. A once per week, carted, recycling collection (30 or 60 gallon); and
6. A once per week brush and yard waste collection (bundled brush and yard waste in kraft bags). Yard Waste Carts will be priced and offered as a subscription type service; and
7. Big bulky waste service with a base level of four times per year for residential property initiated by both call for service and contractor observation. Additional collections at a per collection cost will be priced; and
8. A program to address the cleanup and abatement of trash and other materials in the inner-city which shall include, but not be limited to, the bulky waste cleanup of vacant lots, neighborhood cleanups and blitz type programs, education and empowerment; and

*(on items 7 and 8, the response goal is to have the bulky waste cleaned up within 72 hours of notification.)*

9. At least four (4) convenience centers; and
10. A program to aid the elderly, infirm and/or disabled in the transport of the containerized (bagged or bin) waste from their residences to the curb and/or truck; and
11. An aggressive marketing and public relations program that will address the multi-language challenge that exists. Involvement in schools will be a focus. A plan and budget for the education component will be submitted.

In addition, the request for proposal will include the option of private contractors taking control of the operations and/or ownership of the City's Southeast Landfill and the establishment of a transfer station to handle the waste generated by the City of Fort Worth. The station(s) will become property of the City at some point to be determined under the RFP process.

**DISCUSSION:**

On October 23, 2001, followed by discussions on November 6, 2001, and November 13, 2001, GBB reported to the City Council its finding of a study of the City's solid waste collection system and made recommendations to improve the cleanliness of the City and attempt to mitigate service cost increases for the next 10+ years. Those recommendations, with modification by Council, are listed above.

The City of Fort Worth's contracts with its waste collection, recycling collection, and disposal companies expire on September 30, 2002. It is the intent of Council and staff to identify a system that continues to ensure that garbage and recyclables are removed from the curb but managed in a manner that extends, to the greatest extent possible, the disposal capacity and life of all close-in landfills. Request for Proposals will be developed and the most qualified providers offering the most cost effective combination of services, in the opinion of the City, will be contracted to provide services under this plan.

It is anticipated that new contracts and service providers will be in place to establish service on or before October 1, 2002. Implementation of these services will be phased in as soon after October 1, 2002, as possible.

**FISCAL INFORMATION/CERTIFICATION:**

The Finance Director certified that there will be no fiscal impact to the Solid Waste Fund from the adoption of this communication. Funds will be available in the operating budget, when appropriated, of the Solid Waste Fund for the acceptance of the individual service contracts.

**Council Member Lane made a substitute motion, seconded by Council Member Silcox that the recommendation call for a bag based system with a subscription service for carts. The motion failed by the following vote:**

**AYES: Council Members Lane, Silcox, and Picht**

**NOES: Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Haskin, Moss, Wentworth and Davis**

**ABSENT: None**

**The original motion carried by the following vote:**

**AYES: Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Haskin, Moss, Wentworth and Davis**

**NOES: Council Members Lane, Silcox, and Picht**

**ABSENT: None**

**G-13473  
Denied**

**There was presented Mayor and Council Communication No. G-13473 from the City Manager recommending that the City Council consider whether to extend the effective dates of Chapter 11 of the 2000 International Residential Code and 2000 International Energy Code and the 2001 Supplement from January 1, 2002 to February 1, 2002.**

**Sarah Fullenwider, Assistant City Attorney, advised the City Council of their options regarding the extension of the effective date of the International Energy Conservation Code and stated that in her opinion the M&C should be denied.**

**Council Member Haskin made a motion, seconded by Council Member Davis, that the recommendation be denied. The motion carried unanimously.**

**Adjournment**

**There being no further business, the meeting was adjourned at 2:51 p.m.**